

1 H. Tim Hoffman (SBN 049141)
2 Arthur W. Lazear (SBN 083603)
3 Chad A. Saunders (SBN 257810)
4 **HOFFMAN & LAZEAR**
5 180 Grand Avenue, Suite 1550
6 Oakland, California 94612
7 Tel:(510)763-5700
8 Fax:(510)835-1311
9 Email: cas@hoffmanandlazeare.com

10 Attorneys for Plaintiff

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **OAKLAND DIVISION**

15 NANCY DARDARIAN, individually and on
16 behalf of all others similarly situated,

17 Plaintiffs,

18 v.

19 NORDSTROM, INC., a Washington
20 corporation,

21 Defendant.

Case No. 4:11-cv-00949-PJH

**STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE OF CLASS
ACTION COMPLAINT, AND FOR
WAIVER OF FEES AND COSTS BY
DEFENDANT AND ORDER**

1 TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF
2 RECORD:

3 WHEREAS, Defendant Nordstrom, Inc. ("Defendant") filed a motion to dismiss or
4 stay this action on March 22, 2011 (Dkt. No. 6);

5 WHEREAS, the Court granted Defendant's motion on May 5, 2011 and entered an
6 order staying this case; and

7 WHEREAS, Plaintiff Nancy Dardarian ("Plaintiff") now seeks to dismiss her case
8 from this Court, to re-file the same case in the Superior Court of California, County of Los Angeles,
9 and to cooperate with Defendant in adding that case on to the existing state court coordination
10 proceeding, JCCP No. 4651; and

11 WHEREAS, Defendant agreed that it would not seek costs or attorneys' fees from
12 Plaintiff in connection with this dismissal of this case from this court;

13 NOW, THEREFORE, Plaintiff and Defendant hereby stipulate and agree that:

- 14 1. The Court should enter a dismissal without prejudice as to the entire above-
15 entitled case; and
16 2. The Defendant will not move the Court for an award of costs or attorneys' fees in
17 connection with this dismissal.

18 THE PARTIES SO STIPULATE.

19 Dated: June 1, 2011

20 HOFFMAN & LAZEAR

21
22 By /s/ Chad A. Saunders
23 CHAD A. SAUNDERS
24 Attorneys for
25 Plaintiff NANCY DARDARIAN
26
27

1 Dated: June 1, 2011

2 SHEPPARD MULLIN RICHTER & HAMPTON LLP

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4 By /s/ John Dineen

5 John Dineen
6 Attorneys for
7 Defendant NORDSTROM, INC.
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[PROPOSED] ORDER

PURSUANT TO THE PARTIES' STIPULATION, and good cause appearing therefore, IT IS HEREBY ORDERED that the entire case entitled *Dardarian v. Nordstrom, Inc.*, No. 4:11-cv-00949-PJH, is dismissed without prejudice.

Dated: 6/2/11



CERTIFICATION

I, Chad Saunders, am the ECF User whose identification and password are being used to file this Stipulation for Dismissal Without Prejudice of Class Action Complaint, and for Waiver of Fees and Costs by Defendant. In compliance with General Order 45.X.B., I hereby attest that John Dineen has concurred in this filing.

Dated: June 1, 2011

HOFFMAN & LAZEAR

By /s/ Chad A. Saunders
CHAD A. SAUNDERS
Attorneys for Plaintiff